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5 Attorneys for Defendant Johnson Mai

FILED

JAN 18 2008

RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 UNITED STATES,)
Plaintiff) No: 3-06-70479 MAG

12 v.)

13 JOHNSON MAI,)
a/k/a Zhi Xiong Mai)
a/k/a Uncle Hong,)
a/k/a Chi Hong Mak,)
a/k/a Hong Suk;

14 LISA LEE,)
a/k/a Xiao Ling Li;)

15 KAI LUN ZHENG,)
a/k/a Wai Keung Cheung,)
a/k/a Su Ming,)

16 a/k/a Alan Zheng;

17 ZHI EN HUANG,)
a/k/a Gao Lo;

18 DAVID YUEN,)
a/k/a Lo Wu,)
a/k/a Wu So Gor; and)

19 ERIC YU HENG CAI)

20 Defendants.)

21 [PROPOSED] ORDER AND STIPULATION)
FOR CONTINUANCE FROM JANUARY 21,)
2008 TO FEBRUARY 12, 2008 AND)
EXCLUDING TIME FROM THE SPEEDY)
TRIAL ACT CALCULATION (18 U.S.C. §)
3161(h)(8)(A) AND WAIVING TIME)
LIMITS UNDER RULE 5.1)

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23 With the agreement of the parties, and with the consent of the defendants, the Court enters this
24 order scheduling a status conference on February 12, 2008 at 9:30 a.m. before the duty magistrate judge
25 and documenting the defendants' waiver of the preliminary hearing date under Federal Rule of Criminal
26 Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(ii) and
27 (iv), from January 22, 2008 to and through February 12, 2008. The parties agree, and the Court finds
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1 || and holds, as follows:

2 1. The case is very complex and involves international transactions and shipments, foreign
3 banks and complex monetary transactions, extensive wiretap evidence and conversations in different
4 Chinese language dialects. There are multiple defendants and discovery is voluminous. All defense
5 counsel involved are in need of additional time to prepare the case. Furthermore, the government and
6 defense counsel are actively involved in negotiating the final terms of a global settlement that will
7 resolve all pending charges and forfeiture claims involving all defendants before the court and
8 additional time is necessary to seek approval of the proposed plea and forfeiture agreements with the
9 government.

10 2. All defendants agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
11 3161(h)(8)(B)(ii) on the basis of complexity and (iv) continuity of counsel for effective preparation
12 taking into account the exercise of due diligence.

13 3. The defendants waive the time limits of Federal Rule of Criminal Procedure 5.1 for
14 preliminary hearing.

15 4. Accordingly, and with the consent of all parties, the Court (1) alternatively sets a
16 preliminary hearing before the duty magistrate judge on February 12, 2008 at 9:30 a.m. and (2) orders
17 that the period from January 22, 2008 to and through February 12, 2008 be excluded from the time
18 period for preliminary hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial
19 Act calculations under 18 U.S.C. § 3161(b).

21 IT IS SO STIPULATED:

DATED: January 18, 2008

/s/ Garrick Lew
GARRICK LEW
Attorney for Defendant Johnson Mai

25 || DATED: January 18, 2008

/s/ Gil Eisenberg
GIL EISENBERG
Attorney for Defendant Kai Lun Zheng

27 | DATED: January 18, 2008

/s/ Brian Getz
BRIAN GETZ
Attorney for Zhi En Huang

1 DATED: January 18, 2008 /s/ Stuart Hanlon
2 STUART HANLON
Attorney for David Yuen

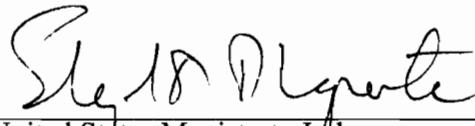
3 DATED: January 18, 2008 /s/ Randy Montesano
4 RANDY MONTESANO
Attorney for Eric Cai

5 DATED: January 18, 2008 /s/ Alice Wong
6 ALICE WONG
7 Attorney for Lisa Lee

8 DATED: January 18, 2008 /s/ Thomas Mazzucco
9 THOMAS MAZZUCCO
Assistant United States Attorney

11 IT IS SO ORDERED.

14 DATED: Jan 18, 2008


Sheldene M. Prost
United States Magistrate Judge